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Attorneys for
Judge Tony Mallery

FILED
MAR 10 2023
COMMISSION ON
JUDICIAL PERFORMANCE

THE STATE OF CALIFORNIA
BEFORE THE COMMISSION ON JUDICIAL PERFORMANCE

INQUIRY CONCERNING
JUDGE TONY MALLERY

No. 208

**RESPONDENT'S VERIFIED
ANSWER TO AMENDED
NOTICE OF FORMAL
PROCEEDINGS**

Judge Mallery submits this Verified Answer to the Amended Notice of
Formal Proceedings.

Response to amendment to Count Two:

Judge Mallery incorporates and reasserts his original answer to Count
Two. The amendment does not make sense. To the extent the allegation is that
Judge Mallery lied during the investigation or in his Answer, Judge Mallery
denies it.

Response to Amendment to Count Twelve:

Part B. Judge Mallery denies that he stated he would not appoint Mr. Zamora in any more cases.

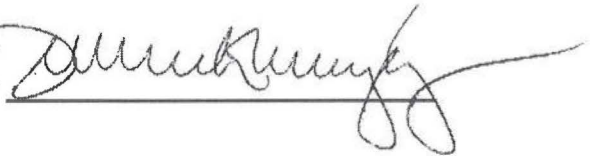
Part E: Judge Mallery acknowledges he said words to the effect of the plea offer is what's on the complaint if the prosecution makes no other offer.

Response to Amendment to Count Twenty-One:

Judge Mallery incorporates and reasserts his original answer to Count Two. This amendment calls for no further response.

DATED: March 10, 2023

MURPHY, PEARSON, BRADLEY &
FEENEY

By 

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THE STATE OF CALIFORNIA
BEFORE THE COMMISSION ON JUDICIAL PERFORMANCE

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JUDGE TONY MALLERY

No. 208

**RESPONDENT'S VERIFICATION
TO ANSWER TO AMENDED
NOTICE OF FORMAL
PROCEEDINGS**

I, Tony Mallery, declare that I am the Responding Judge in Inquiry No. 208, that I have read the foregoing Answer to the Amended Notice, and know the contents thereof, that I believe the same to be true, except as to those matters which are alleged on information and belief, and as to those matters, I believe them to be true.

DATED:

3-10-23

By


Tony Mallery

CERTIFICATE OF SERVICE

I, Alice Kay, declare:

I am a citizen of the United States, am over the age of eighteen years, and am not a party to or interested in the within entitled cause. My business address is 580 California St. 11th Floor, San Francisco, California 94104.

On March 10, 2023, I served the following document(s) on the parties in the within action:

RESPONDENT'S VERIFIED ANSWER TO AMENDED NOTICE OF FORMAL PROCEEDINGS INQUIRY NO. 208

	VIA MAIL: I am familiar with the business practice for collection and processing of mail. The above-described document(s) will be enclosed in a sealed envelope, with first class postage thereon fully prepaid, and deposited with the United States Postal Service at San Francisco, California on this date, addressed as listed below.
X	VIA E-MAIL: I attached the above-described document(s) to an e-mail message, and invoked the send command at approximately 12:30 PM to transmit the e-mail message to the person(s) at the e-mail address(es) listed below. My email address is akay@mpbf.com
	BY PERSONAL SERVICE I placed the original or a true copy thereof enclosed in a sealed envelope and delivered such envelope by hand to the office of the addressee.

Emma Bradford, Legal Advisor
Commission on Judicial Performance
455 Golden Gate Avenue, Suite 14400
San Francisco, CA 94102
filings@cjp.ca.gov

Honorable Therese M. Stewart
Presiding Special Master
Court of Appeal
First Appellate District, Div. Two

REDACTED

Honorable Janet M. Frangie
Superior Court of California
County of San Bernardino

REDACTED

Honorable Barbara A. Kronlund
Superior Court of California
County of San Joaquin

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I declare under penalty of perjury under the laws of the State of
California that the foreign is a true and correct statement and that t his
Certificate was executed on March 10, 2023

By:


Alice Kay